



**Mayor David J. Narkewicz**

**City of Northampton**

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September 30, 2014

Northampton City Council  
210 Main Street, Room 4  
Northampton, MA 01060

RE: Submission of Administrative Order Pursuant to Article 6 of the Charter

To the Honorable Members of the City Council,

Today I am submitting the attached administrative order organizing city government into operating agencies under Article 6 of the charter of the city of Northampton, Chapter 277 of the Acts of 2012, and pursuant to the transitional provisions set out in Section 2 of said Chapter 277.

Northampton city departments and multiple-member bodies are currently established by ordinance, charter, special acts, state law, or in some cases a combination thereof. Article 6 of the city charter requires that "the organization of the city into operating agencies to provide services and administer the government may be accomplished only through an administrative order submitted to the city council by the mayor." Section 2 of Chapter 277 provides that "no later than September 30, 2014, the mayor shall promulgate a series of administrative orders providing for the organization of city government into operating agencies under article 6 of the charter." This first-ever, omnibus administrative order is submitted in conformity with those requirements.

The administrative order is arranged in code format for organization and accessibility. The order is entitled "Administrative Code of the City of Northampton," and it is divided into two major parts. Part I establishes twenty-two city departments organized into six divisions and describes the authorities and responsibilities of each agency. Part II establishes twenty-six appointed multiple-member bodies and describes the authorities and responsibilities of each board, committee, or commission.

Six city departments have been renamed to better reflect their mission or modern terminology. For example, Management Information Systems (MIS) has been renamed the Information Technology (IT) Department. Four multiple-member bodies have also been renamed to better reflect their mission, modern terminology, and, in some cases, to

conform to state law. For example, the Tree Committee has been renamed the Public Shade Tree Commission to better reflect both state terminology and its independent role advising our tree warden (a DPW position also created by this code) and the mayor on the preservation and expansion of our city's shade tree canopy.

Three city agencies in Part I have undergone more substantive changes to either their establishment process or their authorities and responsibilities. The City Solicitor has been a direct appointment of the Mayor since 1927. Previous to that the position was elected directly and along political party lines by the City Council. Under my administrative order, the City Solicitor will now be appointed by the Mayor subject to confirmation by the City Council. This aligns the City Solicitor appointment process with that of every other city department head under our charter and better reflects the division of shared powers of the executive and legislative branches of our government.

The authority and responsibility of the renamed Parks and Recreation Department has, as its new name implies, been expanded to include oversight of the use and programming of city parks. The Board of Public Works previously held this authority in its role as park commissioners under a series of special acts repealed by this administrative order. This change better reflects the needed division of departmental responsibilities for maintenance versus programming of our city's expanding inventory of parks and recreation facilities.

The Department of Public Works (DPW) maintains its current name and mission, but absorbs many of the responsibilities and authorities that had been delegated to the Board of Public Works (BPW) under a series of special acts repealed by this administrative order. This division of power between a DPW and a BPW created in 1921 no longer conforms to modern local governmental structure, is often confusing to residents, and seemingly creates an un-elected third branch of government for public works making fiduciary and policy decisions that are more appropriately delegated to either professional staff or the city's elected representatives.

The dedicated and hard-working citizen volunteers who currently comprise the Board of Public Works will continue to play an important role in guiding our city's planning and investment in public works as the renamed Public Works Commission. This new commission will be advisory to the DPW as the department moves forward directly managing our city's public works and making recommendations to the Mayor and City Council on both policy and budgetary matters. For example, and of particular significance, the Public Works Commission will offer advice on future water and sewer rates that the DPW must recommend to the Mayor who, in turn, must submit the proposed rates to the City Council for final approval under Article 7 of the city charter.

Pursuant to Article 6 of the charter, this administrative order is accompanied by a set of recommended ordinance amendments or deletions that must be simultaneously adopted by the City Council in order to fully effectuate the new administrative code. In most cases this involves deleting ordinances that currently govern the establishment and responsibilities of departments or multiple-member bodies. In other instances, the

amendments are designed to implement agency name changes or shifts in responsibility. Finally, some of the ordinance changes eliminate multiple-member bodies that have been long defunct or are better suited as ad-hoc advisory committees.

This administrative order represents the final major remaining unfinished transition item of the special act city charter adopted by both the legislature and the voters of Northampton in 2012. It serves to complete our city's move forward to a new, more modern structure of local government featuring a clear and well-defined separation of powers between our executive and legislative branch of government.

I want to personally and publicly thank my Chief of Staff, Lyn Simmons, who is the principal architect and author of this impressive and complex document. Its creation involved countless hours of painstaking research of city ordinances, special acts, historic documents and wills, and state law as well as comparative research of other Massachusetts cities. Dozens of drafts, editing sessions, and legal reviews by City Solicitor Alan Seewald later left the similarly painstaking task of cross-checking the completed administrative code against our code of ordinances to create the necessary ordinance changes and deletions. Our city owes Lyn Simmons a debt of gratitude for helping this mayor provide a strong foundation for the administrative organization of our city for future generations of chief executive officers to rely and build upon.

I respectfully request that the City Council approve this administrative order pursuant to Article 6 of the city charter. I stand ready to answer any questions you have about the document or provide any additional information needed for your required public hearing and deliberations.

Respectfully,

A handwritten signature in black ink, appearing to read 'David J. Narkewicz', with a long horizontal line extending to the right.

David J. Narkewicz  
Mayor, City of Northampton



**Administrative Code of the City of Northampton**  
**Mayor David J. Narkewicz**  
**September 30, 2014**

**Part I. Administrative Organization**

**1.0 Office and Standards**

- 1.01 Generally
- 1.02 Coordination of Operations
- 1.03 Department Heads
- 1.04 Staffing
- 1.05 Bonds
- 1.06 Oath of Office
- 1.07 Setting Charges and Fees

**2.0 Administration and Finance Division**

- 2.01 Office of the Mayor
- 2.02 City Solicitor
- 2.03 Central Services Department
- 2.04 Office of the City Clerk
- 2.05 Human Resources Department
- 2.06 Information Technology
- 2.07 Office of Planning & Sustainability

**Finance**

- 2.08 Finance Director
- 2.09 Office of the Assessor
- 2.10 Office of the Auditor
- 2.11 Office of the City Collector
- 2.12 Office of the Treasurer

**3.0 Health and Human Services Division**

- 3.01 Health Department
- 3.02 Department of Veterans' Services

**4.0 Cultural and Recreational Services Division**

- 4.01 Arts and Culture Department
- 4.02 Parks and Recreation Department
- 4.03 Senior Services

**5.0 Public Safety Division**

- 5.01 Building Department
- 5.02 Fire/Rescue Department
- 5.03 Police Department
- 5.04 Public Safety Communications Center

- 6.0 Public Works Division**
  - 6.01 Department of Public Works

- 7.0 Other Municipal Positions**
  - 7.01 Fence Viewer
  - 7.02 Weighers of Coal
  - 7.03 Weighers of Hay

## **Part II. Multiple-Member Appointive Organization**

- 1.0 Office and Standards**
  - 1.01 Generally
  - 1.02 Multiple-Member Bodies
  - 1.03 Method of Appointment; Removal; Term of Office
  - 1.04 Oath of Office
  - 1.05 Meetings
  - 1.06 Meeting Documents and Submissions; Rules and Regulations
  - 1.07 Quorum
  - 1.08 Residency
  - 1.09 Multiple-Member Body Internal Organization
  - 1.10 Setting Charges and Fees
  - 1.11 Authority to Establish Subcommittees
  - 1.12 Authority of Multiple-Member Bodies
- 2.0 Agricultural Commission**
- 3.0 Almoners, Board of**
- 4.0 Arts Council**
- 5.0 Assessors, Board of**
- 6.0 Central Business Architecture Committee**
- 7.0 Community Preservation Committee**
- 8.0 Conservation Commission**
- 9.0 Council on Aging**
- 10.0 Disability Commission**
- 11.0 Energy & Sustainability Commission**
- 12.0 Health, Board of**
- 13.0 Historical Commission**
- 14.0 Housing Partnership**

- 15.0 Human Rights Commission
- 16.0 License Commission
- 17.0 Municipal Affordable Housing Trust Fund Board of Trustees
- 18.0 Parks and Recreation Commission
- 19.0 Planning Board
- 20.0 Public Works Commission
- 21.0 Redevelopment Authority
- 22.0 Registrars, Board of
- 23.0 Public Shade Tree Commission
- 24.0 Transportation & Parking Commission
- 25.0 Trust Fund Committee
- 26.0 Youth Commission
- 27.0 Zoning Board of Appeals

## **Part I. Administrative Organization**

### **1.0 Office and Standards**

#### **1.01 Generally**

All agencies shall be under the jurisdiction of the mayor and are described in this part of the administrative code. The description of agencies delineates the mission and functions of each agency and broadly highlights their authorities and responsibilities.

#### **1.02 Coordination of Operations**

The mayor coordinates administration, finance, operations, and public safety activities by meeting regularly to discuss and coordinate activities to assure appropriate delivery of municipal services and to mitigate duplication of services where possible. The mayor develops action programs, evaluates program completion, and reviews management, financial, personnel, and legal issues. Significant attention is paid towards coordination of work programs, so as to ensure minimal work disruption and efficient service delivery. The delivery of service to the public requires coordination and cooperation among the various divisions, departments, and programs within the city. Department heads identify those areas of concern where the various agencies can assist each other in the accomplishment of their mission.

#### **1.03 Department Heads**

Each department head shall perform all duties required of their office or position by state law, the charter, the administrative code, and the ordinances of the city, and such other duties as may be required by the mayor. The officers and department heads shall: be immediately responsible to the mayor for the effective administration of their respective departments and all activities assigned thereto; utilize sound practices and keep informed as to the latest practices in their particular fields and implement, with the approval of the mayor, such new practices as appear to be of the benefit and service to the public; submit annual reports of the activities of their department to the mayor; establish and maintain systems of filing and indexing records and reports in sufficient detail to furnish all information necessary for proper control of department activities and to form a basis for the periodic reports to the mayor; supervise all subordinates under them; be responsible for the proper maintenance of all city property and equipment used in their departments.

#### **1.04 Staffing**

Each department shall consist of such administrative, clerical, maintenance, and technical staff that may be authorized by the mayor and subject to budget appropriation and, where required, confirmation by the city council.

#### **1.05 Bonds**

Officials required by state law shall each, before entering upon the duties of their respective offices, give a good and sufficient surety company bond to the city, duly approved by the city solicitor, and conditioned upon the faithful performance and discharge of their respective duties and the proper

application and payment of all money or property coming into their hands by virtue of their offices. The city shall pay the cost of each official bond. Official bonds of city officers shall be in the custody of the city auditor.

## **1.06 Oath of Office**

Any non-elected city officer required to take an oath of office shall have it administered by the mayor.

## **1.07 Setting Charges and Fees**

Any city office authorized to issue a license, permit, certificate, or to render a service or perform work for a person or class of persons, may, from time to time, fix reasonable fees for all such licenses, permits, service or work in accordance with Mass. Gen. Laws c. 40, § 22F.

## **2.0 Administration and Finance Division**

### **2.01 Office of the Mayor**

#### Established

There shall be an office of the mayor under the supervision of a mayor elected by the voters of Northampton.

#### Authorities and Responsibilities

The office of the mayor supports the chief executive officer in carrying out the duties set forth in article 3 of the charter. The office oversees housing, community development block grant, and economic development. The mayor's executive assistant serves as staff to the license commission.

### **2.02 City Solicitor**

#### Established

The city solicitor shall be appointed by the mayor, subject to confirmation by the city council, and shall serve as legal counsel to the mayor and the City of Northampton. Employment of the city solicitor shall be on such terms and conditions as designated by the mayor. In no event shall the mayor extend the contract of the city solicitor beyond the term of office that the mayor is currently serving.

#### Authorities and Responsibilities

The city solicitor shall be admitted to practice as an attorney in the courts of this commonwealth and the U.S. District Court for the District of Massachusetts. The city solicitor shall hold no other office under the city government while under contract with the municipality as its solicitor, except for those specifically permitted by ordinance. The city solicitor shall provide the city with legal services and, with consent of the mayor, may advise any officer or department head of the city on any question of law connected with the discharge of his or her official duties. The city solicitor shall oversee the legal services budget including the hiring of outside counsel as required. The city solicitor and any outside counsel shall be paid from the city's legal services budget subject to appropriation by the city council.

### **2.03 Central Services Department**

#### Established

There shall be a central services department under the supervision of a director.



Authorities and Responsibilities

The central services department shall be responsible for the care and maintenance of all municipal property and all municipal buildings, including the contents thereof, with the exception of parks, recreation and conservation land, and smith vocational and agricultural high school. The department shall coordinate all construction projects for city buildings and other facilities under the department's jurisdiction. The department shall be responsible for the maintenance, operation, and repair of all parking meters on public ways and in all off-street public parking areas and garages. The department shall be responsible for snow removal in all off-street public parking areas and garages.

## **2.04 Office of the City Clerk**

Established

There shall be an office of the city clerk under the supervision of a city clerk elected by the voters of Northampton.

Authorities and Responsibilities

The city clerk is the keeper of all vital records and statistics of the city and of ancient and public records. The city clerk is responsible for all aspects of elections in accordance with federal, state and local laws. The city clerk serves as a member of the board of registrars and shall carry out the provisions of MGL c. 51. The city clerk is the custodian of the city seal. The city clerk administers the oath of office to elected officers and appointed members of multiple member bodies. The city clerk posts meeting notices as required by Massachusetts general law. The city clerk issues such licenses and permits as may be provided by law. The city clerk records all business related filings, including state and federal tax liens, uniform commercial code filings, and business name registration. The city clerk receives notice of claims and transmits these claims to the city solicitor. There shall be an assistant city clerk whose certification or attestation shall have the same effect as that of the city clerk.

## **2.05 Human Resources Department**

Established

There shall be a human resources department under the supervision of a director.

Authorities and Responsibilities

The human resources department administers the classification and compensation plans, collective bargaining agreements and personnel policies. The department provides advice and assistance to the mayor and departmental managers on personnel matters, including position classification and compensation levels, employee relations, recruitment, training, employee grievances and discipline. The department establishes uniform personnel practices and procedures. The department coordinates affirmative action and equal opportunity programs, ensures compliance with the fair labor standards act, and administers insurance programs.

## **2.06 Information Technology Department**

Established

There shall be an information technology department under the supervision of a director.

Authorities and Responsibilities

The information technology department provides computer hardware and software acquisition, networking, maintenance, and support to all city departments. It is further responsible for computer supplies management, desktop publishing and data communications. The department shall be

responsible for systems development and planning, systems modification and enhancement, operations, central services, and management and administration of the hardware and software for the geographic information system. The department is responsible for computer training and the official city website. The department is the central depository for all electronic information.

## **2.07 Office of Planning & Sustainability**

### Established

There shall be an office of planning and sustainability under the supervision of a director.

### Authorities and Responsibilities

The office of planning and sustainability identifies and implements the city's vision for sustainable land use and growth. The office performs comprehensive and strategic planning, demographic and policy analysis, historic planning and preservation, open space and recreation planning and implementation, sustainable transportation planning and implementation, and environmental project implementation. The office manages the land use and environmental permitting process.

The office provides administrative, clerical and technical support to the planning board, conservation commission, zoning board of appeals, historic district commission, central business architecture committee, agricultural commission, and the community preservation committee.

## **Finance Division**

## **2.08 Finance Director**

### Established

The finance director shall be appointed by the mayor, subject to confirmation by the city council.

### Authorities and Responsibilities

The finance director shall oversee the finance division and provide financial management and analysis to the city. The finance director assists the mayor in development of the annual city budget and coordinates the annual capital improvement program and tax rate setting process. The finance director supervises and recommends to the mayor the appointment of finance division department heads and staff.

## **2.09 Office of the Assessor**

### Established

There shall be an office of the assessor under the supervision of a principal assessor.

### Authorities and Responsibilities

The office of the assessor is responsible for the full and fair market valuation of real and personal property as of January 1 every year for the purposes of levying property taxes. The office shall maintain a database on each parcel of property including name and address of the owner, measurements of the land and a description of any structures, as well as their quality and condition. The office of the assessor conducts a city-wide revaluation and re-certification with the Department of Revenue every three years. The office of the assessor is also responsible for the annual submission of the tax rate recapitulation sheet to the Department of Revenue. The office of the assessor also has the authority to grant abatements and exemptions to tax payers, upon a vote of the board of assessors.

The office provides administrative, clerical and technical support to the board of assessors.

## **2.10 Office of the Auditor**

### **Established**

There shall be an office of the city auditor under the supervision of an auditor.

### **Authorities and Responsibilities**

The office of the auditor produces financial reports of revenues and expenditures. The office examines the books and accounts of all city agencies entrusted with the receipt, custody or expenditure of funds, and all original bills and vouchers on which funds have been or may be paid from the city treasury. The city auditor verifies the cash balance of the city treasury and reviews the bank reconciliations. The office examines all bills, drafts, orders and payrolls, and, if found correct, draws a warrant upon the treasury for their payment. The office disallows or refuses to approve for payment any claim found to be fraudulent, unlawful or in excess of budget. The department, at the close of the fiscal year, compiles statements showing the amounts appropriated, and the amounts expended and encumbered from each appropriations during the preceding fiscal year.

The office of the auditor acts as the procurement agent for the city through the position of chief procurement officer. The chief procurement officer ensures the process for acquisition and disposal of goods and services will be conducted in accordance with state law.

## **2.11 Office of the City Collector**

State law reference c. 41 § 38A

### **Established**

There shall be an office of the city collector under the supervision of a collector.

### **Authorities and Responsibilities**

The office of the city collector collects and enforces the collection of committed taxes, betterments and other amounts as provided by law. The office certifies as to the existence of municipal liens, and counts and records parking meter receipts. The office supervises and coordinates the enforcement and processing of parking violations, including the duties set forth in MGL c. 90 § 20A ½.

## **2.12 Office of the Treasurer**

### **Established**

There shall be an office of the treasurer under the supervision of a treasurer.

### **Authorities and Responsibilities**

The treasurer manages the city's cash and is responsible for the deposit, investment and disbursement of city funds. The treasurer is authorized to issue debt on behalf of the city upon approval of the city council and prepares for the sale of long term bonds by working with the city's financial advisor, bond counsel and the mayor and finance director. The treasurer establishes and maintains an efficient cash management system including maintenance of the city's cashbook and determines the cash flow needs of the city by timing investments to ensure maximum yield for interest and planning when borrowing may need to occur. The treasurer is the custodian of all tax title accounts and prepares and maintains all deeds, conducts sales of land and property and prepares documents for foreclosures.

The city treasurer shall be the treasurer of the city's retirement board. The treasurer provides administrative, clerical and technical support to the board of almoners and trust fund committee.

### **3.0 Health and Human Services Division**

#### **3.01 Health Department**

##### Established

There shall be a health department under the supervision of a director.

##### Authorities and Responsibilities

The health department is responsible for protecting and strengthening public health in the city. The department acts as the agent of the board of health in enforcing all related regulations of the Commonwealth of Massachusetts, all related ordinances and regulations of the city of Northampton, and shall perform any other duties which it may be assigned by state or federal statute, state or federal regulation, or city ordinance or regulation.

The department provides administrative, clerical and technical support to the board of health.

#### **3.02 Department of Veterans' Services**

State law reference c. 115 § 10

##### Established

There shall be a department of veterans' services under the supervision of a director.

##### Authorities and Responsibilities

The department of veterans' services shall provide assistance to veterans and/or dependents in obtaining benefits from federal, state and local programs for veterans and/or their dependents. The department provides outreach, counseling, medical, employment and other support services.

### **4.0 Cultural and Recreational Services Division**

#### **4.01 Arts and Culture Department**

##### Established

There shall be an arts and culture department under the supervision of a director.

##### Authorities and Responsibilities

The arts and culture department works to fund, promote and present high-quality, community-based arts programming for the benefit of artists, residents and visitors to the City of Northampton. The department works with the arts council to perform tasks assigned to local cultural councils under MGL c. 10, § 58, or successor statutes. The department coordinates the paradise city cultural district under MGL c. 10 § 58A. The department serves as the city's liaison to local, regional, and statewide arts and culture organizations.

The department provides administrative, clerical and technical support to the arts council.

#### **4.02 Parks and Recreation Department**

##### Established

There shall be a parks and recreation department under the supervision of a director.

Authorities and Responsibilities

The parks and recreation department is responsible for the establishment, coordination and implementation of community recreation programs. The department oversees programmatic use of parks and recreation facilities.

The department provides administrative, clerical and technical support to the parks and recreation commission.

#### **4.03 Senior Services**

Established

There shall be a senior services department under the supervision of a director.

Authorities and Responsibilities

Senior services operates the city's senior center to provide services for the enjoyment of residents aged 55 or older within the city. The department is responsible for outreach to seniors in the community. The department develops health, cultural and recreational programs for seniors. The director serves as the city's Americans with Disabilities Act (ADA) coordinator.

The department provides administrative, clerical and technical support to the council on aging and the disability commission.

### **5.0 Public Safety Division**

#### **5.01 Building Department**

State law reference c. 143 § 3

Established

There shall be a building department under the supervision of a building commissioner.

Authorities and Responsibilities

The building department provides services related to public safety, environmental, and quality of life concerns. The department is responsible for building, plumbing, electrical, and gas inspections. The department reviews plans, issues permits, conducts inspections, enforces zoning ordinances and investigates complaints. The sealer of weights and measures, inspector of wires, and inspector of gas piping and gas appliances, appointed by the mayor to carry out the duties set forth in MGL c. 41 § 85, MGL c. 166 § 32-34, and MGL c.143 § 3(O) respectively, shall be employees of the department. All permits issued, inspections made and enforcement conducted by the department shall be in accordance with governing provisions of Massachusetts General Law, Code of Massachusetts Regulations and city ordinances.

#### **5.02 Fire/Rescue Department**

Established

There shall be a fire/rescue department under the supervision of a fire chief.

Authorities and Responsibilities

The fire/rescue department provides fire, rescue and emergency medical services to the city. The department investigates the causes of all fires and provides written reports of all suspected arson,

inspects all buildings and structures as provided for by the state fire code, and provides for the issuance and renewal of certificates of occupancy.

### **5.03 Police Department**

#### Established

There shall be a police department under the supervision of a police chief.

#### Authorities and Responsibilities

The police department is responsible for the protection of life and property, the preservation of peace, order and safety, the safeguarding of constitutional guarantees, the prevention of crime, and the detection and arrest of offenders. The department investigates incidents and is empowered to enforce laws and ordinances. The police department shall act as the agent of the Northampton license commission under the provisions of MGL c. 138, § 63, as amended.

### **5.04 Public Safety Communications Center**

#### Established

There shall be a public safety communications center under the supervision of a director.

#### Authorities and Responsibilities

The public safety communications center is responsible for the receipt and appropriate dispatch of all public safety service requests including, but not limited to, calls for police, fire, emergency medical services or animal control services. The center is responsible for the operation and implementation of the city's reverse 911 notification system and provides twenty-four (24) hour a day, seven (7) day a week communications.

## **6.0 Public Works Division**

### **6.01 Department of Public Works**

#### Established

There shall be a department of public works under the supervision of a director.

#### Authorities and Responsibilities

The department of public works is responsible for design, engineering, maintenance and repair of all public works infrastructure. The department shall be made up of the following divisions: administration; engineering; highways; solid waste; water; and wastewater. The city's tree warden, appointed by the mayor to carry out the duties set forth in MGL c. 87, shall be an employee of the department. The department oversees the city's enterprise funds for water, sewer, stormwater, and solid waste and is responsible for billing. In consultation with the public works commission, the department makes annual recommendations to the mayor for water and sewer rates which shall be subject to the approval of the city council.

The department provides administrative, clerical and technical support to the public works commission, public shade tree commission and the transportation and parking commission.

## **7.0 Other Municipal Positions**

### **7.01 Fence Viewer**

State law reference c. 49 § 1

Established

The mayor, subject to confirmation by the city council, and shall annually appoint two or more fence viewers, to hold office for one year and until successors are qualified.

Authorities and Responsibilities

The fence viewer shall perform all tasks assigned under MGL c. 49.

## **7.02 Weighers of Coal**

State law reference c. 94 § 238

Established

The mayor shall annually appoint weighers of coal.

Authorities and Responsibilities

The weighers of coal shall perform all tasks assigned under MGL c. 94 § 238.

## **7.03 Weighers of Hay**

State law reference c. 94 § 236

Established

The mayor shall appoint weighers of hay for a term not to exceed one year.

Authorities and Responsibilities

The weighers of hay shall perform all tasks assigned under MGL c. 94 § 236.

## **Part II. Multiple-Member Appointive Organization**

### **1.0 Office and Standards**

#### **1.01 Generally**

This part of the administrative code describes all multiple-member bodies whose members are appointed by the mayor, and further delineates manner and time of appointment, terms of appointment generally and authorities and responsibilities. The city's representatives to regional governmental boards and committees shall, unless the law establishing such a committee provides otherwise, be appointed by the mayor.

#### **1.02 Multiple-Member Bodies**

The mayor may, by administrative order, reorganize, consolidate, create, merge, divide, or abolish multiple-member bodies of the city. Administrative orders establishing multiple-member bodies shall specify the following: membership, term of office and authorities and responsibilities. Multiple-member bodies are city agencies as that term is defined in the charter.

#### **1.03 Method of Appointment; Removal; Term of Office**

The mayor appoints all members of multiple-member bodies subject to confirmation by the city council as provided in the city charter section 2-10. Unless otherwise provided by law or administrative order, the terms of office of multiple-member bodies are arranged so that one-third of the terms or as nearly that number as may be possible, shall expire each year; vacancies are filled in the same manner of appointment for the remainder of the term. Unless otherwise provided by law, the length of term shall be three years and appointments shall be effective on the first day of July and shall expire the last day of June. Members may be removed by the mayor for such cause as the mayor deems sufficient.

#### **1.04 Oath of Office**

All members of multiple-member bodies shall take the oath of office within four weeks of their appointment and must take the oath of office prior to entering upon the duties of their office. The city clerk shall administer the oath of office.

#### **1.05 Meetings**

All appointed multiple-member bodies of the city shall meet regularly at the times and places that the body, by its own rules, shall prescribe. Special meetings of any multiple-member body shall be held on the call of the chair or by a majority of the members of the body. Notice of the meeting shall be posted as required by law. Except as may otherwise be authorized by law, all meetings of all multiple-member bodies shall at all times be open to the public. Meetings shall provide a reasonable opportunity for residents to offer public comment.

#### **1.06 Meeting Documents and Submissions; Rules and Regulations**



Each appointed multiple-member body shall determine its own rules and order of business within the bounds of this code. Each multiple-member body shall provide for the keeping of agenda, minutes and related submissions of its proceedings. All such documents shall be a public record and certified copies shall be placed on file in the office of the city clerk within 15 days of approval.

### **1.07 Quorum**

A majority of all voting members of a multiple-member body constitute a quorum unless some other number is provided by law or by ordinance. No multiple-member body shall meet in absence of a quorum. The city has accepted remote participation as an option for meeting participation, which shall be exercised in accordance with 940 CMR 29.10.

### **1.08 Residency**

Unless otherwise allowed by law, regulation, charter or administrative code, all members of multiple-member bodies shall be residents of the city at all times during that member's term of office. If a member of a multiple-member body removes from the city during the term for which appointed, such seat shall immediately be deemed vacant and shall be filled under section 3-3 of the charter.

### **1.09 Multiple-Member Body Internal Organization**

Each multiple-member body shall annually elect from its membership, a chair, vice-chair and clerk, and such other officer or officers as are deemed necessary or as is required by law. The annual election shall occur at the first regular meeting after July 1. The mayor and city clerk shall be notified of the officers of each body upon their election. The chair shall preside over all meetings of the multiple-member body, and is the official representative of the multiple-member body in all proceedings before the city council and other officials in the city. The vice-chair performs the chair's functions in the absence of the chair. The clerk is responsible for the certification of the multiple-member body's meeting minutes, and observance of the open meeting law.

### **1.10 Setting Charges and Fees**

Any multiple-member body authorized to issue a license, permit, certificate, or to render a service or perform work for a person or class of persons, may, from time to time, fix reasonable fees for all such licenses, permits, service or work in accordance with MGL c. 40, § 22F.

### **1.11 Authority to Establish Subcommittees**

Each multiple-member body may, by a majority vote of its membership, establish subcommittees of the multiple-member body for the purpose of addressing a particular issue or issues. A report of their activities shall regularly be made to the full multiple-member body. Each subcommittee so established shall observe laws relevant to the keeping of public records, the open meeting law, and any other applicable law, charter or administrative order.

## **1.12 Authority of Multiple-Member Bodies**

Multiple-member bodies may be:

Advisory: Wherein the body has no legal authority to promulgate rules or regulations, decide individual cases or enact policy; or

Regulatory: Wherein the body has legal authority to promulgate rules and regulations, set charges and fees, decide individual cases and enact policy; or

Adjudicatory: Wherein the body has legal authority to hear and decide the rights and obligations of individual applicants.

Multiple-member bodies may be combinations of advisory, regulatory, and adjudicatory.

## **2.0 Agricultural Commission**

### Established

There shall be an agricultural commission, consisting of seven members as follows: 4 members whose prime source of income is derived from farming or agricultural-based enterprises; and 3 members who have small or medium-sized farms, own agricultural land, no more than one representative of an agriculture-related organization, and/or those who have been nominated by 10 farmers. Members are not required to have residency in Northampton provided they own or manage agricultural land in the city.

### Authorities and Responsibilities

The agricultural commission shall serve as facilitators for encouraging the pursuit of agriculture in Northampton; promote agricultural-based economic opportunities in the city; act as mediators, advocates, educators, and/or negotiators on farming issues; work for preservation of prime agricultural lands; and pursue all initiatives appropriate to creating a sustainable agricultural community.

The agricultural commission is an advisory multiple-member body of the city.

## **3.0 Almoners, Board of**

### Established

There shall be a board of almoners consisting of five members.

### Authorities and Responsibilities

The board of almoners shall responsibly oversee the accounting and expenditure of funds from the account the will of the late Whiting Street, and shall hear applications on requests for funds.

The board of almoners is an advisory and adjudicatory multiple-member body of the city.

## **4.0 Arts Council**

State law reference – c. 10 § 58

### Established

There shall be an arts council consisting of fifteen voting members.

### Authorities and Responsibilities

The arts council works to fund, promote and present high-quality, community-based arts programming for the benefit of artists, residents and visitors to the city of Northampton. The arts council shall also perform all other tasks assigned to local cultural councils under MGL c. 10, § 58, or successor statutes.

The arts council is an advisory, regulatory and adjudicatory multiple-member body of the city.

## **5.0 Assessors, Board of**

State law reference c. 41 § 24

### Established

There shall be a board of assessors consisting of three members, one member of which shall be the principal assessor.

### Authorities and Responsibilities

The board of assessors is responsible for the full and fair market valuation of real and personal property as of January 1 each year for the purpose of levying taxes. The board of assessors provides all necessary information to the city council in preparation for the annual classification hearing. The board hears and decides all questions relating to the abatement of taxes levied by it. The board has all of the other powers, duties and responsibilities that are given to boards of assessors by general laws.

The board of assessors is an advisory, regulatory and adjudicatory multiple-member body of the city.

## **6.0 Central Business Architecture Committee**

### Established

There shall be a central business architecture committee consisting of five members and two alternates. Members shall include at least one of each of the following: one person from two nominations made by the greater Northampton chamber of commerce; one person in the building trades or construction industry; one person from two nominations made by the association of realtors covering Northampton; one architect; and one person from two nominations made by the historic district commission.

### Authorities and Responsibilities

The central business architecture committee shall have the authority to adopt reasonable rules, regulations, and forms and to revise the design guidelines manual to aid in the administration of the central business architectural ordinance chapter, and to reclassify building types shown in said ordinance.

The central business architecture committee is a regulatory and adjudicatory multiple-member body of the city.

## **7.0 Community Preservation Committee**

State law reference – c. 44B § 5

### Established

There shall be a community preservation committee consisting of nine voting members. Membership on the committee shall include one current member of the conservation commission, one current member of the historical commission, one current member of the planning board, one current member of the

parks and recreation commission, one current member of the housing authority, two members to be elected at large for four-year terms, two members of the public.

Authorities and Responsibilities

The committee carries out the duties prescribed in MGL c. 44B § 5 and city ordinance.

The community preservation committee is an advisory multiple-member body of the city.

## **8.0 Conservation Commission**

State law reference – c. 40 § 8C

Established

There shall be a conservation commission consisting of seven members.

Authorities and Responsibilities

The conservation commission protects, promotes and enhances the quality of the natural resources within the city, especially wetlands and water resources. The conservation commission is responsible for the preservation and protection of flood plains, water bodies and other wetlands within the city. The commission is responsible for the stewardship of the city's conservation lands. The commission has all of the other powers, duties and responsibilities that are given to conservation commissions by the general laws and city ordinances.

The conservation commission is an advisory, regulatory and adjudicatory multiple-member body of the city.

## **9.0 Council on Aging**

State law reference – c. 40 § 8B

Established

There shall be a council on aging consisting of fifteen members.

Authorities and Responsibilities

The council on aging shall advise the senior services department on programs and services designed to meet the needs of city of Northampton residents aged 55 or older. The council has all of the other powers, duties and responsibilities that are given to councils on aging by the general laws.

The council on aging is an advisory multiple-member body of the City.

## **10.0 Disability Commission**

State law reference – c. 40 § 8J

Established

There shall be a disability commission consisting of nine members. A majority of commission members shall consist of people with disabilities; one member shall be a member of the immediate family of a person with a disability, and one member of said commission shall be an elected official. The city's Americans with disabilities act (ADA) coordinator shall be the liaison to the commission.

#### Authorities and Responsibilities

The commission shall research local problems of people with disabilities; advise and assist municipal officials and employees in ensuring compliance with state and federal laws and regulations that affect people with disabilities; coordinate and/or carry out programs designed to meet the problems of people with disabilities in coordination with programs of the Massachusetts office on disability; review and make recommendations about policies, procedures, services, activities and facilities of departments, boards, and agencies of the city of Northampton as they affect people with disabilities; provide information, referrals, guidance and technical assistance to individuals, public agencies, businesses and organizations in all matters pertaining to disabilities, and; coordinate activities of other local groups organized for similar purposes.

The disability commission is an advisory multiple-member body of the city.

### **11.0 Energy & Sustainability Commission**

#### Established

There shall be an energy and sustainability commission consisting of eleven members, as follows; director of central services, or his/her designee; director of public works, or his/her designee; director of planning and sustainability, or his/her designee; building commissioner, or his/her designee; a representative of smith vocational and agricultural high school selected biannually by the smith vocational high school superintendent; two elected officials; and four members of the public.

#### Authorities and Responsibilities

The energy and sustainability commission shall advise and assist the city in identifying, developing, implementing, and managing programs and policies for achieving energy efficiency and energy resource sustainability, and guard against effects of energy resource disruption/depletion and climate change in all of Northampton's public and private sectors (e.g., municipal, business, commercial, residential, agricultural, and institutional). The commission shall advise and assist with achieving the goals of the sustainable Northampton plan, the city's climate change protection commitments, and other city plans/goals.

The energy and sustainability commission is an advisory multiple-member body of the city.

### **12.0 Health, Board of**

State law reference – c. 111 § 26

City Charter - Article 6A

#### Established

There shall be a board of health consisting of five members, one of whom shall be a physician.

#### Authorities and Responsibilities

The board of health preserves and maintains the city's public health standards and protects its environmental resources through community education, and by promulgating reasonable rules and regulations pertaining to those matters placed under its jurisdiction by state law or city ordinances. The board reviews and recommends health department policies and programs for implementation by the health department. The board has all of the other powers, duties and responsibilities that are given to boards of health by the general laws and city ordinances.

The board of health is an advisory, regulatory and adjudicatory multiple-member body of the city.

### **13.0 Historical Commission**

State law reference – c. 40 § 8D, and c. 40C § 14

#### Established

There shall be an historical commission which shall consist of seven members as follows: at least one member who resides or owns property in the district; one member appointed from two nominations submitted by the Northampton historical society; one member appointed from two nominees from the western Massachusetts chapter of the American Institute of Architects; one member appointed from two nominees from the realtor association of pioneer valley, the local board of realtors.

#### Authorities and Responsibilities

The historical commission shall have all powers and duties in accordance with Massachusetts general laws chapter 40, § 8C and all the power and duties of historic districts in accordance with chapter 40C. The commission shall have the authority to adopt such rules and regulations not inconsistent with the provisions of chapter 40C. The commission shall carry out the preservation, promotion and development of the historical assets of the city.

The historical commission is an advisory, regulatory and adjudicatory multiple-member body of the city.

### **14.0 Housing Partnership**

#### Established

There shall be a housing partnership consisting of fifteen members consisting of those representing the interests of people with low and moderate incomes, the housing and real estate industry, city boards and commissions involved in housing policy and/or projects, including but not limited to the planning board and the zoning board of appeals. The partnership will strive to achieve maximum diversity in its membership.

#### Authorities and Responsibilities

The housing partnership shall assist in the preservation and development of low and moderate income housing stock. All housing proposals submitted for the use of community development block grant funds shall be reviewed by the partnership and the partnership shall issue a recommendation on such proposals to the mayor.

The housing partnership is an advisory multiple-member body of the city.

### **15.0 Human Rights Commission**

#### Established

There shall be a human rights commission consisting of nine members. Membership shall, as far as it is practicable, be selected so as to ensure representation from those classes protected under state and federal law, including but not limited to, race, color, religious creed, national origin, sex, age, disability, veteran status, ancestry, sexual orientation or public benefit status.

#### Authorities and Responsibilities

The human rights commission shall act to promote human rights in the city of Northampton. The commission shall advocate and be an information resource for the rights guaranteed pursuant to local,

state, and/or federal law on the basis of race or color, gender, physical or mental ability, religion, socio-economic status, ethnic or national origin, sexual identification or orientation, or age for all persons within the city of Northampton. The mayor and city council may refer issues pertaining to human rights to the commission for review and recommendation. The commission may organize programs and events to educate about human rights.

The Human Rights Commission is an advisory multiple-member body of the city.

## **16.0 License Commission**

State law reference – c. 138 § 4

### Established

There shall be a license commission consisting of three persons in accordance with MGL c. 138. Members shall serve for six year terms from the first monday in june.

### Authorities and Responsibilities

The license commission acts as the licensing board for the city with all powers to grant, suspend, or revoke licenses and permits for alcoholic beverages as provided in MGL c. 138. The commission has the power to grant, suspend or revoke all other licenses not otherwise provided by law.

The license commission is an advisory, regulatory and adjudicatory multiple-member body of the city.

## **17.0 Municipal Affordable Housing Trust Fund Board of Trustees**

State law reference – c. 44 § 55C

### Established

There shall be a municipal affordable housing trust fund board of trustees made up of five members, one of whom shall be the mayor. Trustees shall serve two year terms.

### Authorities and Responsibilities

The municipal affordable housing trust fund board of trustees shall work to provide for the creation and preservation of affordable housing in Northampton for the benefit of low and moderate income households. The board manages the municipal affordable housing trust fund and has all other authority delegated to it under MGL c. 44, § 55C.

The affordable housing trust is an advisory and adjudicatory multiple-member body of the city.

## **18.0 Parks and Recreation Commission**

### Established

There shall be a parks and recreation commission consisting of nine members.

### Authorities and Responsibilities

The parks and recreation commission advises the parks and recreation department on development and implementation of recreational programming for parks, playgrounds, playfields, indoor recreation centers and other recreation areas and facilities owned or controlled by the city.

The parks and recreation commission is an advisory multiple-member body of the city.

## **19.0 Planning Board**

State law reference – c. 41 § 81A

### Established

There shall be a planning board consisting of seven members and two associate members. The associate members shall serve in the absence of a full member to the extent permitted by law.

### Authorities and Responsibilities

The planning board develops and recommends land use policies, design standards and amendment to zoning code and subdivision plans. The board reviews and approves the subdivision plans for the city, decides applications for special permits and site plan review as provided in the zoning ordinance. The board has all of the other powers, duties and responsibilities that are given to planning boards by the general laws and ordinances.

The planning board is an advisory, regulatory and adjudicatory multiple-member body of the city.

## **20.0 Public Works Commission**

### Established

There shall be a public works commission consisting of seven members.

### Authorities and Responsibilities

The public works commission advises the department of public works and the mayor on the city's public works service delivery, infrastructure management, and long-range planning. The commission reviews and makes recommendations to the department on its policies, operating and capital budgets, proposed city ordinances, fee-setting and permitting processes, and the prioritization and planning of public works projects. The commission works with the department to conduct public hearings on public works issues and projects. The commission's advisory role includes reviewing proposed water and sewer rates, stormwater fees, and solid waste fees.

The public works commission is an advisory multiple-member body of the City.

## **21.0 Redevelopment Authority**

State law reference – c. 121B § 4

### Established

There shall be a redevelopment authority consisting of five members. Members shall serve a term of five years. The mayor shall appoint four members, the fifth member shall be appointed by the department of housing and community development.

### Authorities and Responsibilities

The authority has all duties and responsibilities as set forth in MGL c. 121B § 4.

## **22.0 Registrars, Board of**

State law reference – c. 51 § 15

### Established



There shall be a Board of Registrars consisting of four persons in accordance with MGL c. 51§ 15. Members shall serve three-year terms beginning in April.

Authorities and Responsibilities

The board of registrars shall hold voter registration sessions, including those required by MGL c. 51 § 42C, certify the signatures on nomination papers and petitions, hold hearings and decide disputes over signatures on nomination papers, prepare annual list of persons, and employ poll workers and ballot counters. The board has all of the other powers, duties and responsibilities that are given to boards of registrars of voters by the general laws.

The board of registrars is a regulatory and adjudicatory multiple-member body of the city.

### **23.0 Public Shade Tree Commission**

Established

There shall be a public shade tree commission consisting of seven members.

Authorities and Responsibilities

The public shade tree commission preserves, protects and promotes city shade trees. The commission works to inventory current trees and select new trees for planting. The commission advises and makes recommendations to the tree warden and the mayor on matters involving public shade trees. The commission works to promote knowledge and awareness of the benefits of shade trees.

The public shade tree commission is an advisory multiple-member body of the city.

### **24.0 Transportation & Parking Commission**

Established

There shall be a transportation and parking commission consisting of eleven members as follows: director of public works, or his/her designee; director of planning and sustainability, or his/her designee; police chief, or his/her designee; director of central services or his/her designee; a member of the planning board, selected biannually by the planning board; two elected officials and four members of the public. The city's traffic engineer and parking clerk shall serve as advisors to the commission.

Authorities and Responsibilities

The transportation and parking commission advises the mayor and city council on the safety, efficiency, and sustainability of its multi-modal transportation system for automobiles, bus transit, passenger rail, bicycles, and pedestrians. The commission researches and recommends city policies related to transportation and/or parking. The commission shall review and make recommendations on any ordinance related to transportation and/or parking. The commission shall receive and review input from city residents, businesses, and neighborhoods on issues or concerns related to transportation and/or parking. The commission holds hearings, reviews data, and makes recommendations on applications filed under the city's traffic calming program.

The transportation and parking commission is an advisory multiple-member body of the city.

### **25.0 Trust Fund Committee**

Established

There shall be a trust fund committee consisting of three members.

Authorities and Responsibilities

The trust fund committee shall make recommendations to the city treasurer on Northampton's trust fund investments to realize the best possible gain while maintaining a balance between risk and return with the primary objectives of preservation of capital, maintenance of security of trust funds and investments, maximization of total return for each trust fund, efficient disbursement of funds on an equitable basis, and effective collection of all due monies. The committee shall also advise the treasurer on the other post employee benefits trust fund.

The trust fund committee is an advisory multiple-member body of the city.

## **26.0 Youth Commission**

State law reference – c. 40 § 8E

Established

There shall be a youth commission consisting twenty-one members, from the age of 13 through 18.

Authorities and Responsibilities

The youth commission shall carry out programs which may be designed or established to meet the opportunities, challenges and problems of youth of said city or town and in conjunction with any similar or related programs of any agency of the commonwealth or any agency of the federal government. The commission shall actively involve youth in issues affecting them and to give advice to the mayor and the city council. The commission shall be available to act as a forum for youth concerns about adults and adult concerns about youth.

The youth commission is an advisory multiple-member body of the city.

## **27.0 Zoning Board of Appeals**

State law reference – c. 40A § 12

Established

There shall be a zoning board of appeals consisting of three members and two associate members.

Authorities and Responsibilities

The zoning board of appeals hears and decides applications for variances, special permits, comprehensive permits and appeals relating to actions or refusals to act by the zoning enforcement officer. The board has all of the other powers, duties and responsibilities that are given to zoning board of appeals by the general laws. Each of the board members shall serve as a zoning administrator on a rotating basis pursuant to MGL c. 40A § 14 and city ordinance § 350- 4.10(e).

The zoning board of appeals is a regulatory and adjudicatory multiple-member body of the City.